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**U.S. BANKRUPTCY COURT
DISTRICT OF NEW JERSEY (NEWARK)**

In Re:

Marlon Ernesto Murcia and
Erina Murcia,
Debtors.

Case No.: 12-35963-RG

Chapter 7

**Return Date: March 25, 2013
10:00 a.m.**

**CERTIFICATION OF ERINA MURCIA
IN SUPPORT OF MOTION TO FIND SAINT BARNABAS MEDICAL CENTER a/k/a
BARNABAS HEALTH AND RUBIN AND RAINES OF NEW JERSEY, LLC IN
WILLFUL VIOLATION OF THE AUTOMATIC STAY UNDER § 362(a)(6), FOR
CONTEMPT OF COURT AND FOR SANCTIONS UNDER § 362(k)**

Erina Murcia, a Debtor, in the above-captioned matter, in support of the Motion for a Finding of Willful Violation of the Automatic Stay Under § 362(a)(6), for Contempt of Court and for Sanctions Under § 362(k) ("Motion"), by way of certification, states as follows:

1. I am the Debtor herein, having filed a Chapter 7 Bankruptcy Petition on October 26, 2012;
2. The statements contained in this Certification are based on my personal knowledge and I am competent to testify as to them all;
3. The debt allegedly owed to Saint Barnabas Medical Center a/k/a Barnabas Health ("Barnabas") in the approximate amount of \$8,729.84 was included in Schedule F of the Petition. (See **EXHIBIT A** to the Motion.)

4. Barnabas was listed on the Creditor Mailing Matrix ("Matrix") for service at the address provided on its billing statement: PO Box 903, Oceanport NJ 07757-0903. (See **EXHIBIT B** to the Motion.)

5. The Matrix also lists Rubin and Raine of New Jersey, LLC, A Receivables Management Company ("R&R LLC").

6. The Notice of Chapter 7 Bankruptcy Case, Meeting of Creditors, & Deadlines ("341 Notice") was served upon all parties-in-interest, including Barnabas and R&R LLC, via first class mail by the Bankruptcy Noticing Center Notice on November 9, 2012. (See **EXHIBIT C** to the Motion.)

7. The 341 Meeting of Creditors meeting was held and concluded in Newark on November 26, 2012. No creditors or their representatives appeared at the Meeting of Creditors.

8. On or about December 5, 2012, I received a demand letter from Barnabas dated November 29, 2012 ("11/29/2012 Demand Letter") seeking payment of a pre-filing debt as evidenced on the face of the letter. In the Demand Letter, Barnabas advised me that "payment must be received within the next 10 days or we will have no alternative but to follow legal proceedings." (See **EXHIBIT D** to the Motion.)

9. On or about December 7, 2012, in response to the 11/29/2012 Demand Letter, my attorney sent Barnabas a Notice of Bankruptcy Filing and Automatic Stay ("12/7/2012 Notice from Debtors' Counsel"), via facsimile, advising Barnabas that the 11/29/2012 Demand Letter violated the Automatic Stay and warned them that further violations would likely result in a motion seeking sanctions, actual damages, punitive damages, court costs and legal fees.

(See **EXHIBIT E** to the Motion.)

10. Despite that warning, on or about January 2, 2013, I received a billing statement and payment coupon from Barnabas, dated December 22, 2012 ("12/22/2012 Billing Statement"), seeking payment of a pre-filing debt as evidenced on the face of the statement, indicating that the account was overdue and requesting immediate payment. (See **EXHIBIT F** to the Motion.)

11. On January 3, 2013, I received a voicemail ("Collection Message") from 855-277-1313. I recognized it as a number assigned to Barnabas' collection department, made a screen capture of my cell phone and recorded the message. (See **EXHIBIT G** to the Motion.)

12. On or about January 8, 2013, R&R LLC, in direct and willful violation of the automatic stay, sent me a Notice of Default and payment coupon ("1/8/2013 Notice of Default") indicating that the account had been assigned to them for collection and that failure to dispute the validity of the debt or make payment would result in "further collection efforts."

(See **EXHIBIT H** to the Motion.)

13. The Chapter 7 Trustee's Report of No Distribution was submitted on December 3, 2012, subsequently, the Order Discharging Debtors was entered on February 1, 2013. (See **EXHIBIT I** to the Motion.)

I hereby certify that all of the foregoing statements are true and accurate. I further certify that I am aware that if any of the statements made by me herein are willfully false, I am subject to punishment.

Dated: February 18, 2013

Erina Murcia
Erina Murcia